

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SONTERRA CAPITAL MASTER FUND, LTD.,  
HAYMAN CAPITAL MANAGEMENT, L.P., and  
CALIFORNIA STATE TEACHERS' RETIREMENT  
SYSTEM on behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

UBS AG, *et al.*,

Defendants.

Case No. 1:15-cv-05844 (GBD)  
(HP)

ECF Case

**DECLARATION OF MONIQUE MORREALE IN SUPPORT OF  
THE BANK OF TOKYO MITSUBISHI UFJ, LTD.'S  
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

I, Monique Morreale, hereby declare:

1. I am a Managing Director of the MUFG Americas Legal Department, which serviced during all relevant periods the New York branch of The Bank of Tokyo-Mitsubishi UFJ, Ltd. ("BTMU"). I submit this declaration in further support of BTMU's motion to dismiss the above-captioned action for lack of personal jurisdiction. I have personal knowledge of the facts set forth herein based on my work at BTMU and my review of BTMU's records.

2. BTMU is a financial institution incorporated in Japan under the Company Law. Its headquarters are and have been located at 2-7-1, Marunouchi, Chiyoda-ku, Tokyo, Japan. BTMU's principal place of business is and has been in Japan.

3. Currently, BTMU has over 700 branches in Japan. It has over 70 branches or representative or other offices in more than forty other countries.

4. At all relevant times, BTMU had a single branch in New York.

5. In addition, as of July 2015 when plaintiffs initiated this action, BTMU had two other branches in the United States (in Chicago, Illinois and Los Angeles, California) and eight banking or representative offices or agencies. BTMU also had several subsidiaries in New York and elsewhere in the United States.

6. The New York branch of BTMU is a comparatively small part of BTMU. For the fiscal year ended March 31, 2015, the New York branch of BTMU had gross operating profit of \$1.03 billion, which is only 3.67% of BTMU's total worldwide gross operating profit of approximately \$28 billion.

7. BTMU's overall operations in the United States also are small when compared to its global operations. For the fiscal year ended March 31, 2015, BTMU's U.S. operations had gross operating profit of approximately \$1.1 billion, which is only 3.9% of BTMU's total worldwide gross operating profit of approximately \$28 billion.

8. Neither the New York branch of BTMU nor any of BTMU's other U.S. branches, offices or agencies ever has been responsible for or involved with the determination or submission of rates to the British Bankers' Association in the United Kingdom for use in the calculation of Yen Libor. The BTMU employees responsible for these submissions were and are located in London, United Kingdom, and have made the submissions from London, United Kingdom.

9. Neither the New York branch of BTMU nor any of BTMU's other U.S. branches, offices or agencies ever has been responsible for or involved with the determination or submission of rates to the Japanese Bankers' Association in Japan for use in the calculation of Euroyen Tibor. The BTMU employees responsible for these submissions were and are located in Tokyo, Japan, and have made the submissions from Tokyo, Japan.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 29<sup>th</sup> day of January 2016 in New York City, New York.



Monique Morreale